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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Summary report of the Office of the United Nations High Commissioner for Human Rights on the outcome of the full-day discussion on specific themes relating to human rights and climate change

Summary

The present report is submitted pursuant to Human Rights Council resolution 26/27. It provides a summary of the full-day discussion on human rights and climate change held on 6 March 2015 during the twenty-eighth session of the Council.

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I. Introduction

1. Pursuant to its resolution 26/27, the Human Rights Council held a full-day discussion on 6 March 2015 on specific themes relating to human rights and climate change. Two panel discussions were held, the details of which are provided in the present report by the Office of the United Nations High Commissioner for Human Rights (OHCHR).

2. The discussion was chaired by the President of the Human Rights Council and opened with a video message from the Secretary-General, followed by an address from the Deputy High Commissioner for Human Rights.

3. The first panel discussion focused on identifying challenges and ways forward towards the realization of all human rights, including the right to development, for all, in particular those in vulnerable situations. It included the measures and best practices to promote and protect human rights that could be adopted by States in addressing the adverse effects of climate change on the full and effective enjoyment of human rights. The panel was moderated by the Executive Director of the South Centre, Martin Khor. The panellists were: the President of Kiribati, Anote Tong; the Minister for Foreign Affairs of Bangladesh, Abul Hassan Mahmood Ali; the President of the Mary Robinson Foundation – Climate Justice, Mary Robinson; the Coordinator and Principal Legal Adviser in the secretariat of the United Nations Framework Convention on Climate Change, Dan Bondi Ogolla; the Special Rapporteur on the rights of indigenous peoples, Victoria Tauli-Corpuz; and the Secretary-General of the Pan African Climate Justice Alliance, Mithika Mwenda.

4. The second panel discussion focused on the adverse impact of climate change on States' efforts to progressively realize the right to food, as well as policies, lessons learned and good practices. It opened with a video message from the Special Rapporteur on the right to food, Hilal Elver, and was moderated by the Independent Expert on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, John Knox. The panellists were: the Prime Minister of Tuvalu, Enele Sosene Sopoaga; the Administrator of the National Food Authority of the Philippines, Renan B. Dalisay; the Director of the Geneva Liaison Office of the Food and Agriculture Organization of the United Nations (FAO), Xiangjun Yao; the General Secretary of the World Council of Churches, Olav Fykse Tveit; the General Coordinator of La Via Campesina, Elizabeth Mpofu; and the Permanent Representative in Geneva of FoodFirst Information and Action Network International, Ana-Maria Suarez Franco.

5. Ms. Robinson provided closing remarks drawn from the two panel discussions.

II. Opening session

6. In his video message, the Secretary-General stated that climate change posed a threat to sustainable development and, in some cases, even to human survival. It could fuel famine, political upheaval and conflicts over resources and had disproportionate impacts on women, the poor, indigenous peoples, traditional farmers, coastal communities and migrants. He observed that people living in developing countries, particularly in small island developing States, in Africa and in the least developed countries had contributed the least to dangerous carbon emissions but were bearing the brunt of the negative impacts of climate change. He demanded immediate climate action to transform economies and harness the potential of a low-carbon future. He called upon States to come to a meaningful universal agreement at the Conference of the Parties to the United Nations Framework Convention on Climate Change, to be held in Paris in December 2015, and called for the

Human Rights Council to demonstrate leadership and do its part to achieve urgently needed progress.

7. The Deputy High Commissioner for Human Rights, Flavia Pansieri, stated that human-induced climate change undercut the rights to health, food, water and sanitation, adequate housing and — for the people of small islands and coastal communities — even the rights to self-determination and survival as distinct peoples. The Intergovernmental Panel on Climate Change — the world's most authoritative voice on climate science — had conclusively documented the immediate and long-term harm that climate change brings to our environment, and the seven resolutions of the Human Rights Council on climate change clearly detailed the impact of climate change on the enjoyment of human rights.

8. She said that the Intergovernmental Panel and the Human Rights Council had highlighted the disproportionate impact that climate change had on poor, vulnerable and marginalized communities, and on people already at risk owing to factors such as gender, poverty, age, minority status and disability. Those who had contributed the least to greenhouse gas emissions, including the poorest people in the poorest countries and future generations worldwide, would be affected the most.

9. Ms. Pansieri called for immediate action to implement a human rights-based approach to climate change that identified and satisfied the most pressing needs of vulnerable persons living in our highly inequitable global society, and that promoted careful stewardship of the world's resources and higher levels of accountability for the benefit of all. A new legally binding climate agreement would strengthen the commitments made by States in the 2010 Cancun Agreements to ensure that "parties shall, in all climate change-related actions, respect, protect, promote and fulfil human rights for all"[1] and include clear references to the human rights principles of equality, non-discrimination, accountability, participation, empowerment, solidarity and transparency, among others.

10. Discussing the larger global context, including the post-2015 development agenda and financing for development negotiations, she emphasized that a rights-based approach must not only be integrated within all relevant international discussions and outcomes, but also followed by action. The Deputy High Commissioner exhorted States to take real steps to reduce the harmful effects of climate change, in ways that are fully consistent with their human rights obligations.

11. Equitable climate action, which is designed to limit climate change and prevent and mitigate its negative impacts, must have people's rights at its core. Care must be taken to prevent and remedy any negative impacts on the human rights of groups that are vulnerable, marginalized, discriminated against or at risk, including indigenous peoples, minorities, persons living in poverty, migrants and displaced persons, older persons, persons with disabilities and children, and to empower and protect the rights of women.

12. Ms. Pansieri said that, at the most recent meeting of the Ad Hoc Working Group on the Durban Platform for Enhanced Action on climate change, held in Geneva in February 2015, several States had expressed support for the inclusion of strong language on human rights in forthcoming agreements, and 18 States had signed the "Geneva Pledge on Human Rights and Climate Action".[2] She urged all States to make this commitment and called upon participants to highlight the critical linkages between human rights and climate change and to promote action-oriented outcomes to facilitate global, local, individual and collective efforts to save humanity from irreversible global warming and its devastating impact on human rights.

[1] See www.ohchr.org/Documents/HRBodies/SP/SP_To_UNFCCC.pdf.

[2] See http://carbonmarketwatch.org/wp-content/uploads/2015/02/The-Geneva-Pledge-13FEB2015.pdf.

III. Summary of the first panel discussion

13. Opening the panel as moderator, Mr. Khor asserted that climate change must be considered as a package that included the environment, development and equity. Climate change, development and human rights should be addressed in an equitable and integrated manner. A human rights-based approach demands the inclusion of climate justice, as well as international cooperation and solidarity, all of which are essential in supporting developing countries, including through finance and technology. Such coordination and cooperation at the global level should be based on solidarity, equity, justice and respect for human rights.

A. Contributions of panellists

14. Relating the story of his island nation's struggle for survival, the President of Kiribati, Mr. Tong, said that it was time for everyone to listen and to act. He said that 2015 would be a critical turning point in human existence, when solidarity and a revitalized approach to multilateralism would become essential. He said that human rights considerations must be reflected in climate change discussions and that the actions of the international community would determine whether or not the generations to come have a future. He said it was time to move forward from abstract discussions, as the real human impacts were being felt in countries like Kiribati.

15. Mr. Tong said that climate change was the biggest moral challenge facing humankind. It threatened the very survival of peoples and nations. It was a global problem demanding global leadership. To spur action, the human face of climate change must be understood. The previous week, Kiribati had recorded its highest tides, which caused substantial damage to a hospital and a road construction project. In countries on the front line, immediate action to prevent, mitigate and adapt to climate change was essential. Despite this, he said, Kiribati would continue to gradually fall victim to the rising tides. Mr. Tong asked what the Human Rights Council and others would do about it.

16. Mr. Tong condemned the relative lack of action by the international community in the face of the moral imperative to protect humanity from the ravages of climate change. Recent negotiations had been disappointing, making the 2015 Paris Conference of the Parties to the United Nations Framework Convention on Climate Change all the more critical. He called upon all States to sign the Geneva Pledge and to ensure that the outcome of the upcoming negotiations protected human rights.

17. Mr. Tong emphasized that the threat climate change posed to Kiribati was real, and demanded immediate action. He said that the Government had taken steps to protect its people and plan for the future. It had bought land in Fiji and aimed to prepare its people so they could migrate with dignity. However, he said, Kiribati could not address the problem or protect its people alone. Therefore, the President urgently appealed for assistance from the international community and for an immediate call to action from the Council as the voice of the vulnerable and the moral authority of the international community.

18. The Minister for Foreign Affairs of Bangladesh, Abul Hassan Mahmood Ali, described climate change as one of the greatest challenges ever faced. He emphasized the need for a transformative shift and a robust, legally binding outcome at the 2015 Paris Conference of the Parties. This outcome should recognize that small island developing States, the least developed countries and African nations faced unique threats from climate change and had special needs. He said that, although slow-onset climate-induced disasters like river erosion, desertification and salinity intrusion did not make headlines, they affected peoples' lives and could lead to internal displacement and transnational migration.

In Bangladesh, climate change was estimated to cause the loss of between 2 and 3 per cent of gross domestic product per annum. This had a real impact on the enjoyment of human rights, particularly for the most vulnerable.

19. Mr. Ali said that it was necessary to increase resilience and improve coping mechanisms. By focusing on impacts on the poorest communities, peoples and countries, the human rights perspective offered a way forward in addressing the existential threat posed by climate change. Its magnitude varied across countries, communities and peoples according to their geographic location, wealth and other factors, raising questions of fairness and equity. In the developing world, there were limited resources for prevention, mitigation and adaptation measures. Despite this, Bangladesh had taken several measures. It had installed around 4 million solar home systems and more than 1 million improved cooking stoves, had developed stress tolerant crop varieties and had mobilized over 385 million dollars in domestic resources for adaptation and mitigation measures.

20. However, he said, this was not sufficient. States must recognize their shared responsibility to address climate change and its impacts, including by advancing the discussion on human rights and climate change in the Council and other forums. The international community must step up its commitments and actions to address climate change so that the silent millions who faced its worst impacts could survive. Mr. Ali hoped that the voice of 160 million Bangladeshis, many of whom lived in low-lying coastal areas, would be heard by the Council.

21. The President of the Mary Robinson Foundation – Climate Justice, Mary Robinson, stated that climate change had real impacts on the enjoyment of human rights and that time was running out to avoid further impacts. She said that, in 2015, the international community had before it a unique opportunity to set a new path for sustainable development on the basis of alternatives to fossil fuels that would ensure the rights of generations to come. Such a change must be climate just and ensure full participation of all countries regardless of their current levels of emissions and development. Climate change, more than any other issue, highlighted our interdependence. No country could alone protect its citizens from the impacts of climate change, which meant that the international community must work together to address the challenges that climate change posed for the realization of human rights, especially the right to development.

22. Ms. Robinson said that, in the future, society would have to employ low-carbon technologies, guarantee decent work for all, promote equality, build sustainable cities and preserve vital ecosystems. A human rights-based approach to development should focus on fulfilling for all persons the minimum conditions necessary for a life of human dignity. Faced with climate change, persons in vulnerable situations must have their rights protected, be given access to measures of adaptation and resilience and receive the support of the international community. A rights-based response should also maximize inclusion, participation and equality.

23. Ms. Robinson advocated for a renewed focus on good practices and the use of human rights obligations, standards and principles to inform and strengthen national policymaking in climate change. The Foundation had identified 12 countries that actively linked human rights and climate change in policymaking in their national reports to both the secretariat of the United Nations Framework Convention on Climate Change and the Human Rights Council; however, she said, more work was required to learn from those experiences and scale up good practices. There was also a need to bring climate change negotiators and human rights experts together to collaborate more closely. Ms. Robinson called for the creation of a forum under the Convention and the Council for the sharing of experiences and good practices, in order for the human rights community to prepare guidelines for the integration of human rights in climate change policymaking – noting that the Geneva Pledge was encouraging this to happen at the national level – and for States to

consider the linkages between human rights and climate change during the universal periodic review.

24. The Coordinator and Principal Legal Adviser in the secretariat of the United Nations Framework Convention on Climate Change, Dan Bondi Ogolla, described the interface between human rights and climate change. He said that climate change could directly affect human rights, for example, by loss of land through rising sea levels, which threatened livelihoods and culture. Response measures to climate change could also violate human rights. For instance, mitigation activities under the clean development mechanism implemented in indigenous lands could affect the rights to housing, property, culture and self-determination. Human rights principles, such as participation and freedom of information, may inform the implementation and development of relevant policies.

25. He said that the States parties to Convention had always been sensitive to the human dimensions of climate change. Under the Convention, the definition of the adverse effects of climate change included impacts on socioeconomic systems, human health and welfare and its provisions required States parties to minimize the adverse impacts of response measures and promote and facilitate public participation in addressing the effects of climate change.

26. He said that, in addressing issues such as adaptation, response measures and reducing emissions from deforestation and forest degradation in developing countries, the decisions of the Conference of the Parties had elaborated on the provisions of the Convention, offering guidance on implementation at the national level. They had held, inter alia, that responses to climate change should be integrated with social and economic development plans; all stakeholders should be engaged in the development and implementation of climate change policies; and adaptation actions should follow a participatory approach, taking into account the views of and likely impacts on vulnerable groups and communities.

27. Mr. Ogolla said the key challenges to be addressed were integrating human rights into international and national climate change policy frameworks and ensuring the full and effective protection of human rights in the implementation of climate-related actions. The Cancun Agreements represented a key step, wherein States parties agreed that they should fully respect human rights in all climate-related actions and recognized the need to engage a broad range of stakeholders. They established safeguards for activities aimed at reducing emissions from deforestation and forest degradation, including requirements that such activities must be made consistent with relevant international conventions, respect the knowledge and rights of indigenous peoples and involve the full and effective participation of relevant stakeholders. Going forward, he said that the negotiating text adopted recently by the Ad Hoc Working Group contained several ideas for further integrating human rights within the multilateral climate change regime.

28. The Special Rapporteur on the rights of indigenous peoples, Victoria Tauli-Corpuz, stated that, although indigenous peoples were among those who had contributed the least to climate change, they suffered some of its worst impacts. They often lived in and relied on fragile ecosystems, damage to which threatened their homes, livelihoods and cultural survival. Climate change threatened their rights to self-determination, development, food, water, land and culture. Efforts to prevent, mitigate and adapt to climate change could also threaten their rights. Production of biofuels could lead to land grabbing, and displacement and construction of hydroelectric dams and other renewable energy projects could cause displacement and ecological damage. These activities should not be permitted without the consent of potentially affected peoples.

29. She said that indigenous peoples could contribute to mitigation and adaptation efforts. Their knowledge of ecosystems could support the effective use of resources for

agriculture and forestry. Titling of their lands and territories may support preservation of forests and improved carbon storage. A study by the World Resources Institute found that strengthening indigenous peoples' and local communities' rights to their forests helped Governments to meet climate goals, safeguard forests and protect livelihoods. Indigenous climate observations and community-based monitoring could help to reduce monitoring costs and enhance early warning systems.

30. Ms. Tauli-Corpuz said the outcome of the 2015 Paris Conference of the Parties must ensure that respecting all human rights for all is integral to all decisions and actions for mitigation and adaptation. The Conference should request inputs and advice from OHCHR and human rights mechanisms on operationalizing human rights protections in climate policy and any new agreement should include language on indigenous peoples' rights. She said that participation was critical and indigenous peoples must have a voice and vote in climate-related decisions. Climate funds must include seats for indigenous peoples as observers. More States should sign the Geneva Pledge and act to protect the rights of those most vulnerable to climate change.

31. Mr. Mwenda highlighted the need to ensure that human rights were protected in climate policymaking affecting Africa. He said there was a need for a broad understanding of human rights that emphasized the right to development, especially achieving equitable or even equal development between States. In addition to having the obligation to protect human rights within their borders, States and the international community had broader responsibilities to promote the realization of all human rights for all. States must act collectively, including through the secretariat of the United Nations Framework Convention on Climate Change.

32. Mr. Mwenda advocated for a paradigm shift that took into account concepts such as indigenous rights and the rights of Mother Earth. He said these were embedded in the cooperative values of the peoples of Africa and were essential for realizing the right to food in Africa. Nearly all States had accepted the extraterritorial reach of their legal obligations in relation to human rights. Therefore, discussions on climate change and human rights should focus on how best States could fulfil their responsibility. He called for the appointment of a special rapporteur on human rights and climate change, as recommended by the 2010 Social Forum. In the countdown to the 2015 Paris Conference of the Parties, establishing such a mandate would be timely and effective.

33. He recalled the statement of the Chair of the Group of 77 and China during the United Nations Climate Change Conference in Copenhagen in 2009, Lumumba Diaping, according to which 100 million sub-Saharan Africans would die owing to the unaddressed consequences of climate change in the twenty-first century. He said that, in Kenya, the Government had just issued a famine alert and was shipping emergency supplies to farming communities facing starvation owing to prolonged climate-related drought. Consequently, funds earmarked for infrastructure projects were being diverted. This was a vicious cycle that was an everyday reality for many in Africa. Mr. Mwenda concluded that those who had caused the problem could not be allowed to abdicate responsibility.

B. Interactive discussion

34. During the plenary discussion, representatives of the following States took the floor: Algeria (on behalf of the Group of African States), Bangladesh (on behalf of Belarus, Bolivia (Plurinational State of), China, Cuba, the Democratic People's Republic of Korea, Ecuador, India, Indonesia, Pakistan, the Philippines, Sri Lanka, Uganda and Venezuela (Bolivarian Republic of)), Chile, Ecuador (on behalf of the Community of Latin American and Caribbean States), El Salvador, Estonia, Fiji, France, Ghana, the Holy See, India, Indonesia, Iran (Islamic Republic of), Ireland, Maldives, Morocco, Namibia, Nepal,

Pakistan, Paraguay, the Philippines (on behalf of Afghanistan, Bangladesh, Barbados, Bhutan, Ethiopia, Ghana, Kenya, Kiribati, Madagascar, Maldives, Nepal, Rwanda, Saint Lucia, Timor-Leste, Tuvalu, the United Republic of Tanzania, Vanuatu and Viet Nam), Sierra Leone, Spain, Sweden (on behalf of Denmark, Finland, Iceland and Norway), Switzerland, the United States of America, Venezuela (Bolivarian Republic of) and Viet Nam. Representatives of the United Nations Children's Fund, the United Nations Population Fund and the European Union also participated in the discussion.

35. Representatives of the Scottish Human Rights Commission and the following non-governmental organizations spoke: Centre Europe – Tiers Monde – Europe – Third World Centre, Franciscans International (on behalf of 13 like-minded organizations), International Youth and Student Movement for the United Nations, Lutheran World Federation (also on behalf of ACT Alliance) and Verein Südwind Entwicklungspolitik.

36. Statements by the following States were not delivered owing to lack of time: Algeria, Bahrain, Bhutan, Brazil, China, Egypt, Madagascar, Mauritius, New Zealand, Panama, Peru, Portugal, Qatar, Slovenia, South Africa, the Sudan and Uruguay. For the same reason, statements by the International Development Law Organization, the International Organization for Migration and the United Nations Environment Programme (UNEP) were not delivered.

37. Delegations emphasized the need for urgent action to prevent, mitigate and adapt to climate change, which was described as an immutable fact that required immediate action, illustrated the growing interdependence of all peoples and States and posed an imminent threat to the environment, development and security. Delegations agreed that the upcoming negotiations in Paris were the best vehicle for reaching a universal, legally binding agreement on climate change. They agreed that 2015 presented another crucial opportunity to address climate change through the post-2015 development agenda and related processes as sustainable development was of critical importance. Stressing the need for drastic measures to promote sustainability, one delegation called for a shift from market-based systems to a life in harmony with Mother Earth.

38. All delegations concurred that human rights and climate change were interlinked and that the human rights dimension should be included in the Paris discussions. Several delegations cited their commitment to the Geneva Pledge as a positive step in that direction. One delegation emphasized that any new agreement in Paris should not override the human rights commitments made in the Cancun Agreements. However, another delegation cautioned that discussion of climate change by the Human Rights Council and of human rights at the 2015 Paris Conference of the Parties should not hinder climate negotiations.

39. Delegations agreed that climate change would continue to have an impact on many human rights. Several delegations described actual and anticipated impacts in their countries as well as their efforts to address those impacts. Delegations agreed that it was important to put a human face on climate impacts and to address climate-related migration. Delegations called for mitigation and adaptation efforts to place people at the centre, be gender sensitive and ensure the rights of the most vulnerable, including women, children, indigenous peoples and the poor.

40. Delegations reiterated that the poorest countries and the most vulnerable people had contributed the least to climate change yet were likely to suffer its worst impacts. This was particularly true of children and future generations and was a matter of justice and fairness. They called for recognition of the historical responsibility of the largest contributors to climate change through the application of the principle of common but differentiated responsibilities in efforts to address it. Research and development, technology transfer, capacity-building, development assistance, innovative finance and clean development mechanisms were critical to those efforts.

41. Several delegations made specific action-oriented recommendations. They called for developed countries to take the lead in addressing climate change; adequate funding and research into adaptation measures to help the poorest countries and the most vulnerable people; intensified research and development into renewable sources of energy and energy conservation to reduce the emissions intensity of growth; equitable access to technology, including, if necessary, the lowering of intellectual property standards; increased scrutiny of the impacts of climate change on human rights by special procedures mandate holders; the appointment of a special rapporteur on human rights and climate change; the creation of a climate justice fund; the establishment of an international climate court; and the exploration and expansion of the role of nuclear energy as a clean alternative energy source.

C. Responses and concluding remarks

42. During and after the interactive discussion, the panellists were given the opportunity to respond to questions and issues raised from the floor and to make concluding remarks.

43. Mr. Mwenda referred to the situation in Kiribati, which he said was literally sinking, and many States in Africa where multitudes were facing starvation. He compared the plight of humanity in the face of climate change to that of passengers struggling for survival during the sinking of the Titanic: the weak might suffer and die first but, in the end, everyone would sink. Given this reality, he called for a paradigm shift to address climate change and transition to low-carbon economies in an equitable, fair and ecologically sound manner that permitted continued growth in developing countries.

44. Ms. Tauli-Corpuz emphasized that the Paris agreement must provide for respect for human rights, including the rights of indigenous peoples, and described climate change as proof of a broken economic model that perpetuated inequalities. She proposed the implementation of the "polluter pays" principle and stressed the need for current actions to take into account likely impacts on future generations.

45. Mr. Ogolla asserted that human rights had already substantially influenced the climate change discourse, as evidenced by the Cancun Agreements and the negotiating text for Paris. He called for increased cooperation between the climate change and human rights communities, in order to better understand linkages and develop practical options for implementing policies.

46. Ms. Robinson reiterated the need for improved cooperation between the human rights and climate change constituencies. She referred to a recent event organized by the Climate Vulnerable Forum and her Foundation that highlighted the need for such cooperation and sharing of experiences. The Human Rights Council and mechanisms should continue their efforts to address the interlinkages, as sharing knowledge and good practices would be critical to the effective integration of human rights into climate action. She encouraged States to sign the Geneva Pledge. Affirming that countries needed development and had a right to development, she reiterated the need for climate actions to help realize the right to development for all people and promote intergenerational justice.

47. Mr. Ali described climate change as a political issue steeped in concerns over equity, fairness and dignity. Adaptation and mitigation measures in developing countries faced limitations and the mere recognition of climate change and its impacts was not sufficient. Instead, he called for a political commitment to a legally binding document addressing effective cooperation, compensatory finance, technology transfer and other issues.

48. Mr. Tong reiterated his plea for immediate, concrete action to address climate change. The continuing discussions on climate change had not yielded concrete actions. The people of Kiribati and other affected nations needed actions to deal with its impacts now. Mr. Tong concluded that climate change was the greatest moral challenge facing

humanity, that its reality and impacts were the subject of consensus and that it was time the international community actually did something about it.

IV. Summary of the second panel discussion

49. At the outset, the moderator, Mr. Knox, recalled the 2014 Human Rights Day message from all special procedures mandate holders, which described climate change as one of the greatest challenges of our generation, highlighted its disproportionate effects on disadvantaged, marginalized, excluded and vulnerable individuals and groups, and urged the incorporation of human rights obligations into climate change negotiations. In the Geneva Pledge, States made a concrete commitment to further this objective. In a recent report to the Human Rights Council (A/HRC/28/61), Mr. Knox identified good practices, particularly on climate change. The right to food was most affected by climate change and required concrete action.

A. Contributions of panellists

50. In a video message, the Special Rapporteur on the right to food, Hilal Elver articulated the link between food security and climate change, pointing out that fossil fuels and intensive chemical agricultural practices were unsustainable and contributed to greenhouse gas emissions. She said that, currently, food production exceeded global needs but failed to reach almost a billion chronically hungry people and another billion malnourished people. Climate change threatened to worsen the situation of those afflicted by hunger, including many small holder farmers, fishing communities, indigenous peoples and urban poor. Furthermore, mitigation and adaptation policies, including the production of biofuels and clean development mechanisms, such as the advanced mechanism for reducing emissions from deforestation and forest degradation, could shift land use away from agriculture and threatened the enjoyment of the right to food. Women's and indigenous peoples' knowledge of biodiversity and agroecology must inform mitigation and adaptation strategies. Small-scale farmers should be the cornerstone of any global strategy to address climate change and hunger. The Geneva Pledge offered hope that a rights-based approach to climate change would be included in the outcome of the 2015 Paris Conference of the Parties, but making this a reality would require profound societal change.

51. The Prime Minister of Tuvalu, Enele Sopoaga, expressed how critically important the theme of the panel discussion was to him and to his nation. He echoed the stories and sentiments of Mr. Tong, noting the incredibly serious situation on the ground in Tuvalu. He said that climate change had significant impacts on food security-related to saltwater intrusion, loss of croplands and coral bleaching, among others. But, more fundamentally, it was an issue of basic survival and development. Therefore, it was almost irrelevant to talk about food security when the entire nation and all its people were threatened.

52. Mr. Sopoaga called on the Human Rights Council to employ a human response to the impacts of climate change that considered the need to preserve traditions and livelihoods, protect the economic rights of communities and ward off or mitigate the impacts of displacement. In that regard, sovereign continuity was necessary and would pose complex challenges for the international community as rising sea levels threatened the entire land area of low-lying island States. It was important that the international community take up the work of the Council to address climate change in a broader sphere. Although the global response to climate change would continue to be negotiated under the aegis of the secretariat of the United Nations Framework Convention on Climate Change, the Council offered a critical and complementary perspective, and the linkages between climate change and human rights must be recognized and strengthened.

53. Consequently, Mr. Sopoaga suggested that the Council consider establishing a mechanism to link human rights and the impacts of climate change, and called for the Council to hold a special session to examine the impact of climate change on human rights and identify ways forward to address them. The 2015 Paris Conference of the Parties needed an ambitious agenda. The plight of States like Tuvalu and Kiribati must receive more attention and become a cause of action for the international community. The United Nations was not present on the ground in Tuvalu, where its support was desperately needed. Addressing the human rights impact of climate change was an issue of justice, mandating immediate action.

54. The Administrator of the National Food Authority of the Philippines, Renan Dalisay described the horrendous impact of super typhoon Haiyan on his country. In total, 7,500 people were killed and millions were affected across 14 provinces. The damage caused the loss of billions of dollars and massive production losses for food. There was abundant evidence that climate change affected the intensity and frequency of typhoons and other extreme weather events, which were increasingly regular in the Philippines. These destroyed crops, augmented costs of staple foods and increased reliance upon emergency food relief. Climate change directly affected the enjoyment of the right to adequate food and nutrition. It destroyed land. It took lives and had a disproportionate impact on the poorest and most vulnerable.

55. Mr. Dalisay said that the Government of the Philippines had taken steps to address the growing threat of climate change. Policymakers had enacted laws and put in place a comprehensive set of policies, programmes and institutions to help identify strategies and actions towards mitigation and adaptation. These included the 2009 Climate Change Act, the National Climate Change Action Plan and the Adaptation and Mitigation Initiative in Agriculture. Aligning climate policies with human rights had been central to these efforts and reflected both international and national commitments. Agricultural development was of supreme importance and efforts must be made continuously to protect livelihoods, provide access to food for children, ensure gender equality and respect indigenous perspectives.

56. Mr. Dalisay stated that all were victims of climate change and all must work together to stop it. He called for a serious commitment to address the global threat of climate change and to implement the obligations of States on the basis of historical responsibilities. Recalling the Philippines' experience of solidarity with the international community in the aftermath of typhoon Yolanda, he asserted that States and people must come together again to agree on a lasting solution to save our children and our children's children from the devastation wrought by the terrible consequences of climate change. He called on all to honour the victims of climate change by taking immediate action to protect future generations.

57. The Director of the FAO Geneva Liaison Office, Xiangjun Yao, stated that realizing the right to adequate food is directly and indirectly affected by climate change. She said that more than 800 million people currently suffered from hunger and 2 billion were affected by some form of malnutrition. Substantial production increases would be required to feed growing world populations. Climate change threatened food production and physical access to food. It endangered livelihoods. In a world already afflicted by famine and substantial food price volatility, some States had made progress in the fight against hunger that could inform future efforts. The analysis by FAO of national efforts to achieve the hunger target in the Millennium Development Goals revealed four key areas of intervention: nutrition and education; social protection; equitable access to resources and assets; and awareness-raising. Effective strategies included short-term provision of essential assistance coupled with protection and development of productive assets and infrastructure

that support livelihoods, and the establishment of cross-sectoral links to ensure decent employment and social welfare.

58. Ms. Yao recommended future measures that were adapted to the situation and conditions of those most affected by climate change and developed with the involvement of all stakeholders. Mechanisms that enabled communities to share knowledge and good practices and to participate in decision-making, monitoring and accountability processes should be strengthened. Participants at the recent International Forum on Agriculture and Climate Change discussed climate-smart agriculture that adapted to environmental pressure and had fewer adverse environmental impacts. A multi-stakeholder global alliance on climate-smart agriculture had been established to promote sustainable and equitable increases in agricultural productivity and incomes, build resilience of food systems and farming livelihoods and achieve reductions or removals of greenhouse gas emissions by agriculture.

59. She said that, as it becomes increasingly clear that climate change had adverse impacts on the enjoyment of the right to food, the international community must take action, including by implementing the FAO Right to Food Guidelines, Voluntary Guidelines on the Responsible Governance of Tenure and Principles for Responsible Investment in Agriculture and Food Systems. These tools offer critical human rights-based guidance to help realize the right to food and take climate action. Ms. Yao proposed a strong commitment in the post-2015 development agenda to ensure the empowerment of key actors, especially women and vulnerable groups, who played a crucial role in realizing the right to adequate food.

60. The General Secretary of the World Council of Churches, Olav Fykse Tveit, asserted that climate change was a matter of life or death. It brought home messages from religious traditions worldwide that the world is one creation, that all persons share responsibility for its stewardship and that the actions of the few can impact the basic conditions of life for all. He said that climate change was about universal human rights. The problems highlighted by the panellists were real and climate change was already affecting the enjoyment of all human rights, including the right to food. Many communities were suffering from rising sea levels, salinization of fresh water sources, increased frequency and intensity of tropical storms, changing rainfall patterns, droughts and floods and changing temperatures, which had a direct impact on food security.

61. He said that, in its resolutions, the Human Rights Council had for years highlighted the human rights impacts of climate change and special procedures mandate-holders had reported on climate change in relation to several human rights. The 2010 Social Forum recommended the establishment of a special rapporteur on climate change and human rights who would work to enhance the enjoyment of human rights by those most vulnerable to climate-related hazards. Mr. Tveit reiterated that call, emphasizing that the disproportionate impact of climate change on those most vulnerable and least responsible was an issue of fundamental injustice.

62. Since the scientific consensus on human-induced climate change was clear, the world needed urgent and collective action on behalf of all humanity, including in preparation for the 2015 Paris Conference of the Parties. The World Council of Churches had specifically addressed climate change since the late 1980s, linking it to issues of peace, economic justice and the environment. Climate change had environmental, political, ethical and spiritual dimensions. Therefore, efforts to prevent, mitigate and adapt to climate change and its impacts should be the focus of a broad-based approach rooted in human solidarity. Those who lived in rich countries would need to change their lifestyle patterns. Those in vulnerable countries should have the means to build resilience and adapt. Change must occur at the individual, community, national and international levels. States, the Human Rights Council, civil society and faith-based organizations should cooperate to ensure

justice for those who had contributed the least to climate change. All should show through their actions that they understood their mutual interdependence and were prepared to defend the rights of the most vulnerable. Mr. Tveit advocated for action as an expression of hope for the future, for next generations, for Earth and for humanity.

63. The General Coordinator of La Via Campesina, Elizabeth Mpofu, drew attention to the need to give voice to the voiceless in the discussion of climate change. She said that she represented over 200 million marginalized people, including peasants and fishermen. She demanded that those voices be heard and that the international community take the impacts of climate change more seriously, noting that her speech on behalf of the voiceless and the vulnerable represented by La Via Campesina merited more than a mere five-minute presentation.

64. As a practicing woman farmer from Zimbabwe, she had witnessed first-hand the impacts of climate change on human rights, particularly the rights to life, food, health, housing, education, self-determination, development and water and sanitation. She had seen the abdication of State responsibilities to protect human rights in favour of corporate interests. She said that companies had engaged in unsustainable and indefensible practices, including land-grabbing, excessive exploitation of mineral resources, over-reliance on fossil fuels and destruction of nature and livelihoods. The most vulnerable populations, including indigenous peoples, peasants and women, had suffered the greatest impacts of these actions. Many had been displaced from their lands to make way for corporations.

65. Developed countries that had contributed the most to climate change had imposed a huge burden on developing countries and refused to take responsibility. Faced with the harsh impacts of climate change, many developing countries had been forced to shift financial and human resources from development priorities like health, education and agrarian support to confront the new challenges. In extreme cases, food insecurity caused by drought or floods resulting from climate change had virtually paralysed some developing countries and reversed critical development gains. Meanwhile, developed countries, through their trade and investment negotiations and even their efforts to mitigate climate change through the mechanism to reduce emissions from deforestation and forest degradation, had further perpetuated human rights abuses and land-grabs and prioritized the interests of the few over those of the many. For example, biofuels and export crops had been favoured over locally grown and consumed food. Forests were being taken away from indigenous peoples who relied on them for their livelihoods, shelter, balanced diets and way of life. People were losing their right to self-determination. Ms. Mpofu asked if this was justice.

66. The Permanent Representative in Geneva of FoodFirst Information and Action Network International, Ana-Maria Suarez Franco, argued that the international community must ensure the primacy of human rights across international legal regimes. Human rights must be integrated in the climate change discussion. Climate change was affecting the enjoyment of the right to food and nutrition through several means, including droughts, desertification, tropical diseases and ocean acidification. Persons displaced by climate change impacts may not have access to sufficient, acceptable and healthy food. In its 2007/2008 report on climate change,[1] the United Nations Development Programme estimated that climate change would render an additional 600 million people at risk of experiencing hunger by 2080. It would disproportionately affect peasants, indigenous

[1] United Nations Development Programme, *Human Development Report 2006: Fighting climate change: Human solidarity in a divided world* (Basingstoke, United Kingdom of Great Britain and Northern Ireland, Palgrave Macmillan, 2007).

peoples, pastoralists, small farmers and fishermen, who, paradoxically, had contributed the least to the phenomenon.

67. States must take immediate action to respect, protect and fulfil the right to food and nutrition as required by international law. Climate change was a problem with international origins and impacts; therefore, it would require an international solution. States must recognize their extraterritorial obligations, as enunciated in the Maastricht Principles on Extraterritorial Obligations of States in the Area of Economic, Social and Cultural Rights. They should use their political influence to promote an enabling environment for the enjoyment of the right to food and other rights, including by cooperating to slow climate change and mitigate its impacts. They must act to ensure the accountability of non-State actors for their actions.

68. Ms. Suarez Franco stressed the need to provide children with nutritious food, not just in infancy but also through later years, while simultaneously addressing the structural causes of hunger, including climate change, to ensure the health and nutrition of future generations. She said that ecological production of food would mitigate climate change, boost the earnings of rural residents and increase the availability of food. She called upon States to adopt policies that supported ecological food production by peasants, indigenous peoples, fishermen and pastoralists and to respect their relationship with Mother Nature. Clean development mechanisms must respect human rights, and States must ensure that efforts to address climate change do not negatively affect their enjoyment.

B. Interactive discussion

69. During the plenary discussion, representatives of the following States spoke: Algeria, Bhutan, Bolivia (Plurinational State of), Brazil, China, Cuba, the Democratic Republic of the Congo, Egypt, Fiji, Gabon, Ireland, Maldives, Nigeria, Peru, Portugal, Qatar, Slovenia, South Africa, the Sudan and Uruguay. The European Union, the International Development Law Organization, the International Organization for Migration and UNEP also spoke, as did a representative of the non-governmental organization Action Canada for Population and Development. Delegations called for urgent action to address the impacts of climate change on human rights, especially the right to food. They elaborated on specific threats to food security in their countries, including salinization of arable land and irrigation water. In sharing national efforts to address these threats, delegations highlighted the need for heightened efforts at the international level, including through development assistance, technology transfer, capacity-building and the adoption of a universal, legally binding agreement under the United Nations Framework Convention on Climate Change. The Paris Agreement should integrate human rights, and cooperation between the Human Rights Council, the secretariat of the Convention and their respective constituencies must be enhanced, including through stronger and broader participation of States in the Geneva Pledge.

70. Several delegations supported the common but differentiated responsibilities principle and individual and collective action to promote mitigation and adaptation. Some focused on respect for Mother Earth, a shift to sustainable production and consumption, and realizing the right to development. Delegations stressed the need to protect the rights of women and indigenous peoples and to recognize the contribution of their knowledge to adaptation strategies, enhanced enjoyment of the right to food and promotion of sustainable livelihoods. Delegations called for State commitments to ensure adequate funding for the Green Climate Change Fund for disaster adaptation and mitigation to be fulfilled. They highlighted the importance of integrating human rights in climate policy, including participation, access to information and access to justice. Delegations sought information about good practices in promoting human rights-based approaches to climate policy, particularly relating to the right to food.

C. Responses and concluding remarks

71. During and after the interactive discussion, panellists were given the opportunity to respond to questions and issues raised from the floor and to make concluding remarks.

72. Ms. Suarez Franco referred to the utility of agroecology in reducing emissions, delivering more nutritious foods and providing more income. She called for human rights impact assessments of climate mitigation and corrective measures to promote informed, rights-based decision-making. Policies should ensure that people do not lose their autonomy to feed themselves. Ms. Suarez Franco advocated for a strong, legally binding agreement integrating human rights throughout the entire outcome document of the 2015 Paris Conference of the Parties. She supported the call for a special rapporteur on human rights and climate change to identify good practices, strengthen accountability mechanisms, engage with the secretariat of the United Nations Framework Convention on Climate Change and further explore the links between climate change and human rights.

73. Ms. Mpofu argued that the problems posed by climate change called for new solutions. The corporate world must be regulated to protect human rights. Systems must be changed and processes must become people-oriented. States should support the adoption of a United Nations declaration on the rights of peasants. They should also adopt and implement policies on food sovereignty that comprehensively addressed the human rights impacts of climate change and corporate actors and focused on supporting the most vulnerable, including women. States must ensure their words are followed by actions and act now.

74. Mr. Iveit asserted that we must act now to address climate change, the impacts of which were already a reality and would affect even more our future generations. Actions now would determine whether or not generations to come have access to the most basic elements of life, including food and water. Mr. Iveit called on global leaders to adopt a legal agreement affirming human dignity and promoting human sustainability. Noting that women constituted 43 per cent of the agricultural labour force, Ms. Yao agreed that engaging women in relevant policymaking was critical to food security. She called for intensified research and development into mitigation and adaptation. Investment in the agricultural sector and climate-smart agriculture were important ways forward. Resilient and productive farming practices must be identified and adopted. Ms. Yao advocated for political will and cooperation across sectors to adequately address climate change in Paris and beyond.

75. Mr. Dalisay described efforts in the Philippines to develop hazard maps, improve agricultural support services, reengineer irrigation systems, reinforce infrastructure, establish early warning systems in partnership with communities and promote access to credit for risk reduction measures. He said the Philippines was implementing a gender-sensitive approach to climate and agricultural policy as women and children were the most affected. The call for action by the Presidents of the Philippines and France advocated for a shift from intention to action as the point of no return was being reached. He said that the Philippines President had emphasized the need to transcend paralysis by debates on obligations of individual countries and act together now for the benefit of all.

76. Mr. Sopoaga made a plea for urgent action on climate change to enable small islands and low-lying countries to address and adapt to rising sea levels. He said that States like Tuvalu had a limited domestic capacity to cope with the impacts of climate change and needed international assistance to take appropriate measures. He advocated for improved access to financing and better coordination of international efforts. He called for greater involvement of OHCHR in the Pacific and other severely affected regions, for enhanced collaboration between the Human Rights Council and the secretariat of the United Nations

Framework Convention on Climate Change and for the Council to hold a special session on climate change.

V. Closing session

77. In closing, Ms. Robinson offered brief conclusions and recommendations drawn from the full day of discussions. Depicting climate change as the greatest human rights challenge of the twenty-first century, she noted that panellists and participants had left no doubt as to the terrible reality of its impacts. The international human rights system was focused on the role and accountability of States in realizing the human rights of their people. However, the impacts of climate change exceeded the capacity of many States to protect their people. Members of the Human Rights Council must therefore assume responsibility for safeguarding those whose rights were undermined and destroyed by those impacts.

78. She said that climate justice necessitated urgent action and solidarity. It required States to look beyond their responsibility to their own people and accept responsibility for all those who are particularly vulnerable to climate change, including future generations. Developing countries were making extraordinary efforts to address climate change and increase their resilience. However, they needed the support of the international community to protect the rights of their people and gain equitable access to sustainable development.

79. Ms. Robinson noted that participants had called for a human rights dimension to be included in the outcome of the 2015 Paris Conference of the Parties; improved reporting on human rights and climate change to the Human Rights Council and to the secretariat of the United Nations Framework Convention on Climate Change; the Council to hold a special session on human rights and climate change; the identification and sharing of good practices in human rights informing climate action; the examination of climate change by all special procedures mandate holders, including recommendations to the Council; and the creation of a legal instrument to protect the rights of climate displaced people among other recommendations.

80. She observed that climate change, sustainable development and human rights were interlinked. Therefore, efforts to move towards a more equitable world must address them jointly. Gender equality, access to information and the rights to participation, education, water, food and development should also inform more effective climate policies. All countries should be able to participate in low-carbon, climate-resilient development, and those most responsible for climate change should rapidly reduce their emissions and honour their commitments to provide financial, technological and capacity-building support. The Human Rights Council must act now to ensure people-centred, rights-based action on climate change as both a priority for the Paris Conference of the Parties and a longer-term commitment. Recalling the words of the 2004 Nobel Peace Prize winner, Wangari Maathai, she concluded with a call for humanity to reach a higher moral ground and take immediate action on climate change.